

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 206 of 1999

in

SPECIAL CIVIL APPLICATION No 496 of 1999

For Approval and Signature:

Hon'ble ACTING CHIEF JUSTICE MR CK THAKKER and
MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

ATUL VISUBHAI PATEL

Versus

BHOGILAL SOMABHAI PATEL

Appearance:

MR.BJ SHELAT with MR KM PARIKH for Appellants
MR PB MAJMUDAR for Respondent

CORAM : ACTING CHIEF JUSTICE MR CK THAKKER and
MR.JUSTICE M.C.PATEL

Date of decision: 23/02/99

ORAL JUDGEMENT(Per C.K.Thakkar,Actg.C.J.):

Admitted. Mr.Majmudar appears and waives service

of notice of admission on behalf of the respondent.

In the facts and circumstances, the matter is taken up for final hearing today.

This appeal is filed against judgment and order passed by the learned Single Judge in Special Civil Application No.496 of 1999.

We have heard the learned Counsel for the parties at considerable length. But after the arguments were over, both the parties have agreed that if the Gujarat Revenue Tribunal, before which Revision Application No.TEN/BA/465/98 is pending, is directed to dispose of the Revision Application within the stipulated period, ends of justice would be met. It was also agreed between the parties that neither the appellants nor the respondent will enter the land in question and that the Tribunal may nominate any person other than the parties to the proceedings and, if necessary, in consultation with the Mamlatdar and ALT, Vadodara, and the said person will be in possession till the disposal of the Revision Application. The Revision Application will be decided by the Tribunal as expeditiously as possible, preferably before April 30, 1999.

In view of the above orders, this appeal is allowed to the above extent. In the facts and circumstances, no order as to costs.

(C.K.Thakkar,Actg.C.J.)

(M.C. Patel,J.)
